

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RANDALL CUMMER,)	
)	
Plaintiff(s),)	No. C 09-4340 CRB (PR)
)	
vs.)	ORDER OF TRANSFER
)	
JAMES TILTON, et al.,)	(Docs # 2, 5 & 8)
)	
Defendant(s).)	

Plaintiff, a prisoner at the California Correctional Institution in Tehachapi, has filed a pro se complaint under 42 U.S.C. § 1983 alleging various violations of his civil rights related to the decision to transfer him from Mule Creek State Prison to Salinas Valley State Prison. A substantial part of the events or omissions giving rise to the claim(s) occurred, and the viable defendants named reside, in the County of Amador, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Venue therefore properly lies in the Eastern District. See id. § 1391(b).

Accordingly, IT IS ORDERED that, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action be TRANSFERRED to the United States District Court for the Eastern District of California.

The clerk shall transfer this matter and terminate all pending motions as moot.
SO ORDERED.

DATED: September 25, 2009



CHARLES R. BREYER
United States District Judge